IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8710 OF 2004

Shri Ramchandra Mahadeo Dalavi, .. Petitioner

Vs

1. Mrs Sakhubai w/o Appa Dalavi

and ors. .. Respondents

Mr.Kokitkar, for the petitioner.

CORAM : D.B.BHOSALE,J.

DATE : 22nd November, 2004.

PC:

1. Heard the learned counsel for the petitioner.

2. This petition is directed against the concurrent findings recorded by the Courts below in the application Exhibit-5 filed by the petitioner seeking injunction restraining the respondents from disturbing his possession over the suit property. It appears that the application was rejected on the ground that there are co-sharers in the property and the agreement on the basis of which the petitioner claims possession does not give boundaries of the property. I perused the orders passed by the Courts below. Considering that there are concurrent findings recorded by the Courts below and as I find that there is sufficient material/evidence on record to sustain those findings and considering the

extremely limited jurisdiction of this Court under Article 227 of the Constitution of India to disturb the findings of fact, the present writ petition cannot be entertained. The writ petition, therefore, fails and is dismissed as such. Hearing of the suit is expedited.

(D.B.BHOSALE, J.)